

SO ORDERED



**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
Sitting in Baltimore**

In Re:

ARNOLD F. FAIR
Debtor(s)

Case No. 18-16684
Chapter 13
Hearing Date: August 26, 2019 at 1:30 P.M.

MIDFIRST BANK
Movant

vs

ARNOLD F. FAIR
Respondent(s)

LINDA WRIGHT FAIR
Non-Filing Co-Debtor

CONSENT ORDER MODIFYING THE AUTOMATIC STAY

UPON CONSIDERATION of the foregoing Motion for Relief from the Automatic Stay, the parties having reached an agreement, and good cause having been shown, it is this, by the United States Bankruptcy Court for the District of Maryland.

ORDERED, that the Automatic Stay, be and it is hereby modified, pursuant to 11 U.S.C. 362(d), to permit Movant to commence foreclosure proceedings against the real property and improvements known as 7106 Bexhill Road, Windsor Mill, MD 21244, and to allow the successful purchasers to take possession of the same; and be it further

ORDERED, that the above Order be and it is hereby, stayed provided that the Debtor(s):

(a) The Debtor shall resume making the regular monthly post-petition payment of \$586.50 each month beginning with September 1, 2019, to be received by Movant, Midland Mortgage, Bankruptcy Dept. P.O. Box 26648, Oklahoma City, OK 73126 on or before the first day of each month pursuant to the Note until the bankruptcy plan is completed.

(b) The Debtor(s) agrees to cure the post-petition arrears (April 2019, May 2019, June 2019, July 2019 and August 2019), Attorneys Fees of \$850.00 plus a filing fee of \$181.00 and late charges (\$90.90) totaling \$3,983.70 less \$59.48 in suspense at Midland leaving a balance of \$3,924.22 at the rate of \$436.02 per month for eight months commencing October 15, 2019 and each month thereafter on the same date with the final payment of \$436.06 on June 15, 2020; and

(c) If proof of payment is received that has not already been credited towards the arrears, then said payment will be credited to this consent order and an amended consent order will be filed. All future payments shall be sent directly to Midland Mortgage, Bankruptcy Dept., P.O. Box 26648, Oklahoma City, OK 73126.

If any amount is not paid timely, Movant's attorney shall mail notice to the Debtor and to Debtor's attorney allowing an additional ten (10) days to cure in certified funds and file an Affidavit of Default with this Court. If after said ten (10) days the payment remains in arrears, Movant or its attorney shall be free to commence a foreclosure proceeding on the property described above.

Upon the filing of the third such affidavit, the Automatic Stay shall be, and it hereby will, immediately terminate; and be it further,

ORDERED, that the Automatic Stay be, and it is hereby modified, pursuant to 11 U.S.C. 362(d), to permit Movant to commence foreclosure proceedings against the real property and improvements known as 7106 Bexhill Road, Windsor Mill, MD 21244, and so as to allow Movant to proceed to foreclose against the said premises; and be it further

ORDERED that the Automatic Stay of 11 U.S.C. §362 be and it hereby, shall not be reimposed as to the Debtor's interest, by the conversion of this case to any other chapter under the Bankruptcy Code.

I HEREBY CERTIFY that the terms of the copy of the consent order submitted by the Court are identical to those set forth in the original consent order; and the signatures represented by the /s/ on this copy reference the signatures of consenting parties on the original consent order.

/S/ Jeremy K. Fishman
Jeremy K. Fishman

CONSENTED TO AND AGREED:

/S/ Jeremy K. Fishman
Jeremy K. Fishman
Attorney for Movant

/S/ Richard J. Hackerman
Richard J. Hackerman
Counsel for Debtor

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END OF ORDER